

Appl. No.: 09/945,125
Amdt. Dated: January 19, 2004
Off. Act. Dated: July 18, 2003

REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested in view of the foregoing amendments and discussion presented herein.

1. Canceled Claims.

Claims 1-8, 11-14 16, and 17-40, have been cancelled without prejudice to the filing of a continuation application.

2. Rejection of Claims 10-16 under 35 U.S.C. §112, second paragraph.

Claims 11, 13 and 14 were rejected under 35 U.S.C. §112, second paragraph as being indefinite with respect to the meaning of the term "organic graphite." In response, Applicant has canceled these claims without prejudice to the filing of a continuation application.

The preambles of Claims 10-16 were found by the Examiner to be inconsistent with the preamble of independent claim 9. In response, the Applicant has amended the preambles of claims 10 and 15 from "an entry material" to "a sheet laminate" as suggested by the Examiner. The Applicant appreciates the Examiner's suggested language for overcoming this rejection and, accordingly, has patterned the amendments after the suggested language. Therefore, the Applicant respectfully submits that Claims 10-16 are now cast in proper form under 35 U.S.C. § 112.

3. Rejection of Claims 9 and 41 under 35 U.S.C. § 102(b).

Claims 9 and 41 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Newman* (U.S. No. 4,313,996). However, the Examiner has also indicated that Claim 16, a dependent of Claim 9, would be allowable if written in independent form. In response, the Applicant has amended Claim 9 and Claim 41 to include the limitations found to be allowable from Claim 16. Accordingly, Applicant submits that independent Claims 9 and 41 as amended are now in condition for allowance and respectfully requests that the rejection under 35 U.S.C. § 102(b) be withdrawn.

4. Rejection of Claims 9-12, 14 and 41 under 35 U.S.C. § 102(e).

(a) Claims 9, 12 and 41 were rejected under 35 U.S.C. § 102(e) as being

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anticipated by *Miller et al* (U.S. No. 6,200,074). In response, Claim 12 was canceled and Claim 9 and claim 41 were amended to include the limitations of Claim 16 found by the Examiner to be allowable if written in independent form. Applicant submits that Claim 9 and Claim 41 as amended are not anticipated by the Miller reference.

(b) Claims 9-11, 14 and 41 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Miller et al* (U.S. No. 6,200,074) or in the alternative as obvious over *Dana* (U.S. Pub. No. US 2002/0123085). In response, Applicant submits that the amendment to Claim 9 with limitations found by Examiner to be allowable render the rejection moot.

5. Rejection of Claim 13 and 15 under 35 U.S.C. § 103(a).

Claims 13 and 15 were rejected under 35 U.S.C. § 102(e) as being obvious in view of *Dana* and *Miller* respectively. Claim 13 has been canceled. In support of the rejection of Claim 15, the Examiner states that "Miller et al. are silent regarding laminate material of claim 12 wherein the lubricant comprises approximately 0.1% to approximately 10% by weight...Miller teach the use of polyethylene glycol; however, they fail to disclose a concentration in terms of weight percent."

Applicant respectfully disagrees that Miller discloses polyethylene glycol in any concentration. Rather, Miller discloses a layer of "lubricant/adhesive consist[ing] of a water dispersion of polyethylene oxide resin plasticized with a high molecular weight polyethylene glycol." [Col. 5, lines 65-67 through Col. 6, line 2] (emphasis added).

Applicant submits that polyethylene glycol is combined with the polyethylene oxide resin to form a flexible plasticized layer rather than a stiff layer. The polyethylene glycol is added to change the physical and chemical properties of the resin. The quantity of "high molecular weight polyethylene glycol" plasticizer in Miller will be determined by the resulting softening characteristics that plasticizer has on the resin.

Accordingly, Miller alone or in combination, does not disclose an adhesive with a particulate lubricant homogeneously dispersed in the adhesive. Claim 15 recites a structure which is patentable over the cited references for purposes of 35 U.S.C. § 103.

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In addition, since independent Claim 9 as amended has been shown to be allowable then dependent Claim 15 should also be allowable. Therefore, the Applicant respectfully submits that Claim 15 is likewise allowable. Applicant respectfully requests that the rejection under 35 U.S.C. § 103 be withdrawn.

6. Patentability of New Claims.

New Claims 42-54 are dependent claims from either Claim 9 or Claim 41 that have been amended to include the limitations of Claim 16 found by the Examiner to be allowable. Accordingly, since Claim 9 and Claim 41 are allowable the new claims should also be allowable.

7. Conclusion.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

The Applicant also respectfully requests a telephone interview with the Examiner in the event that there are questions regarding this response, or if the next action on the merits is not an allowance of all pending claims.

A petition for extension of time is enclosed herewith.

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Respectfully submitted,



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